IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

WRIT PETITION NO.218 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr.U.P.Warunjikar, for the Petitioner

CORAM : F.I. REBELLO,J.

DATED : JANUARY 27, 2005

P.C.

. Because in another proceedings the Appellate Court set aside the order of granting probate and remanded the matter back to the trial Court for fresh consideration, the petitioners contended in another proceedings for probate which was pending that the same should be dismissed. That has been rejected by the trial Court. To my mind no interference is called for with the impugned order considering that the issue of probate has not been finally concluded and is still awaits consideration on remand in the other proceedings.

Petition rejected.

(F.I. REBELLO, J.)